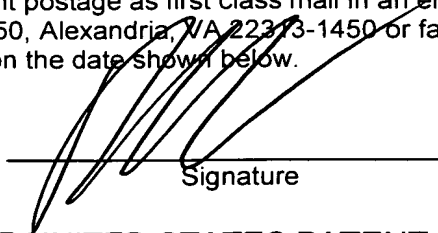




JE Receipt

CERTIFICATION OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

  
\_\_\_\_\_  
Signature

Feb 7, 2008  
\_\_\_\_\_  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applic. No.	:	09/623,924	Confirmation No:	1970
Applicant	:	Wolfgang Werner		
Filed	:	September 11, 2000		
Art Unit	:	2855		
Examiner	:	Andre J. Allen		
Title	:	Measuring Apparatus with Microsensor and Method for Producing it		
Docket No.	:	GR 98 P 1307 P		
Customer No.	:	24131		

REQUEST FOR FILING RECEIPT CORRECTION

Commissioner for Patents,  
Alexandria, VA 22313-14150

Sir:

Undersigned counsel has received the Filing Receipt for the above-identified application.

The filing date was listed incorrectly and should be as follows:

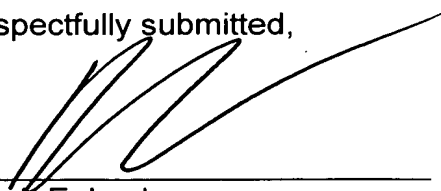
November 20, 2000

It is respectfully requested that the Patent Office Records be changed and that a new Filing Receipt be issued, so that the printed patent will show the filing date.

On November 16, 2000 Applicant submitted a cover letter, a certified English translation of the German specification, an Associate Power of Attorney and a copy

of the Notification of a Defective Oath or Declaration that were filed in the Patent Office on November 20, 2000. Applicant received a Notice of Abandonment dated June 11, 2001 for allegedly not responding to the Notice of Missing Requirements. On June 29, 2001 Applicant filed a petition stating that it did indeed comply with the Notice of Missing Requirements. The petition was granted on November 1, 2001. Therefore Applicant believes its date of November 20, 2000 is proper.

Respectfully submitted,



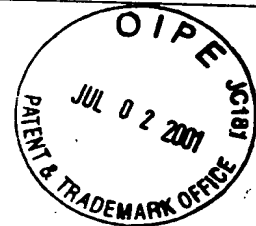
---

Ralph E. Locher  
Reg. No. 41,947  
Lerner Greenberg Sterner LLP  
Post Office Box 2480  
Hollywood, FL 33022-2480  
Tel: 954. 925.1100  
Fax: 954. 925.1101

DOCKET NO. **JC17 Rec'd PCT/PTO 02 JUL 2001** GR 98 P 1307 Mailed June 29, 2001  
A LIC. NO. 09/623,924 Express Mail

The stamp of the Patent Office hereon may be considered the date on which papers indicated below were received.

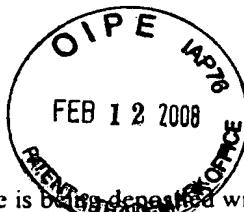
Applic pgs ... Rule 53b New ☐ Contin ☐ Div ☐ CIP ☐ / Rule 53c Prov. ☐ / Rule 53d CPA ... RCE ☐  
☐ CIP ... pgs ☐ Design ☐ ... Dwgs ☐ Declaration ☒ Mailing Certif.  
☐ Priority Claim ☐ Cert. Prior. Doc(s) ☐ PCT Cover Sheet WO  
☐ Amend pgs ... ☐ Prel. Amend pgs ... ☐ Letter  
☐ Response pgs ... ☐ 37CFR1.116 ☐ Not. of Appeal  
☐ Brief pgs ... ☐ Appndx pgs ... ☐ I.D.S. + ... Refs.  
☐ Assoc Pwr of Atty ☐ Credit Card \$  
☐ Pet. for Ext ... Mo. ☒ Pet. ☐ Check \$  
☐ Issue Fee ☐ Assignment ☐ PTOL  
☐ Cert. Trans. ☐ Cert. of Corr. ☐ File rec. corr



*Copy of Not. of Aband.; Signed decl., Ass. Po. & AH.,  
Certif., Translation, Postcard, Not. of Filing. Require, com. ltr.*

(Patent Office. Please stamp and return to addressee on reverse side.)

Docket No.: GR 98 P 1307



I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

By: 

Date: June 29, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Wolfgang Werner  
Applic. No. : 09/623,924  
Filed : September 11, 2000  
Title : Measuring Apparatus with Microsensor and Method for Producing it

PETITION UNDER 37 C.F.R. 1.8(b)

Hon. Commissioner of Patents and Trademarks,  
Washington, D. C. 20231

Sir:

The facts leading to this petition are as follows:

Applicants received a Notice of Abandonment dated June 11, 2001 in the above-identified application, a copy of which is enclosed herewith. According to the Notice of Abandonment, applicant had allegedly not responded to the Notice of Missing Requirements under 35 U.S.C. 371, page 2, entitled "Notification of a Defective Oath or Declaration", dated October 25, 2000.

Applicants did indeed respond to the aforesaid notification. The signed declaration was mailed to the Patent Office on November 16, 2000 together with a cover letter, a certified English translation, an Associate Power of Attorney and a copy of the aforesaid notification which were filed in the Patent Office on November 20, 2000. A copy of the postcard showing the filing date in the Patent Office is enclosed. The cover letter accompanying the aforesaid enclosures bore a mailing certificate under 37 CFR 1.8, which was properly executed on that date.

Enclosed herewith, in accordance with Rule 8(b), are copies of the previous mailing including:

- cover letter
- signed declaration
- associate power of attorney
- certification
- English translation
- postcard
- Notification of Missing Requirements

I hereby declare that the foregoing facts have been stated on a personal knowledge basis and that the above-noted paper was submitted timely in accordance with the rules and regulations. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

In view of the foregoing, it is requested that the application be reinstated.

Respectfully submitted,

  
\_\_\_\_\_  
For Applicant

LAURENCE A. GREENBERG  
REG. NO. 29,308

Date: June 29, 2001

Lerner and Greenberg, P.A.  
Post Office Box 2480  
Hollywood, FL 33022-2480  
Tel: (954) 925-1100  
Fax: (954) 925-1101  
/bb



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

LOP

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY DOCKET NO.
09/623924	WERNER	W GR 98 P 1307
INTERNATIONAL APPLICATION NO.		
PCT/DE99/00268		
I.A. FILING DATE		PRIORITY DATE
01 FEB 99		10 MAR 98
DATE MAILED: 11 JUN 2001		

LERNER AND GREENBERG P A  
P O BOX 2480  
HOLLYWOOD, FL 33020 2480

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as

☐ a Designated Office (37 CFR 1.494), ☒ an Elected Office (37 CFR 1.495), has made the following determination:

- ☐ Applicant's letter of express abandonment received \_\_\_\_\_ is in compliance with CFR 1.138 and is hereby acknowledged.
- ☐ Applicant has failed to provide the full U.S. Basic National Fee by ☐ 20 months (37 CFR 1.494(b)(2)), ☐ 30 months (37 CFR 1.495(b)(2)).
- ☒ Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 25 OCT 00 within the time period set therein.
- ☐ Applicant has failed to properly respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed \_\_\_\_\_ within the time period set therein. See the attached NOTIFICATION OF DEFECTIVE RESPONSE (Form PCT/DO/EO/916).
- ☐ Other.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C 371 and 37 CFR ☐ 1.494, ☒ 1.495 and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

COTTMAN, DARRELL C.

Telephone: 703-305-3693

RECEIVED JUN 15 2001

DOCKET NO. GR. 98.P.1307... Mailed .... Nov. 16, 2000.

AI IC. NO. 09/623,924 ..... Express Mail ..... U

The stamp of the Patent Office hereon may be considered the date on which papers indicated below were received.

Applic pgs .... Rule 53b New ☐ Contin ☐ Div ☐ CIP ☐ / Rule 53c Prov. ☐ / Rule 53d CPA ☐  
☐ CIP ... pgs ☐ TM ☐ Design ☐ ... Dwgs ☐ inf. ☐ fml. ☒ Mailing Certif.  
☐ Priority Claim ☐ Cert. Prior. Doc(s) ☐ PCT Cover Sheet WO .....  
☐ Amend pgs ... ☐ Prel. Amend pgs ... ☒ Letter  
☐ Response pgs ... ☐ 37CFR1.116 ☐ Not. of Appeal  
☐ Brief pgs ... ☐ Appndx pgs ... ☐ I.D.S. + ... Refs.  
☒ Assoc Pwr of Atty ☐ ... Specimen ☒ Declaration  
☐ Pet. for Ext .... Mo. ☐ Pet. .... ☒ Check \$ 260  
☐ Issue Fee ☐ Assignment ☒ PTOL... 391.500  
☐ St. of Use ☐ Cert. of Corr. ☐ File rec. corr  
CERTIFIED ENGLISH TRANSLATION

(Patent Office. Please stamp and return to addressee on reverse side.)



Docket No.: GR 98 P 1307

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

By:  Date: November 16, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Wolfgang Werner  
Appl. No. : 09/623,924  
Filed : September 11, 2000  
Title :  
Art Unit : Measuring Device with a Microsensor and Method for its Production

**LETTER**

Hon. Commissioner of Patents and Trademarks,  
Washington, D.C. 20231

Sir:

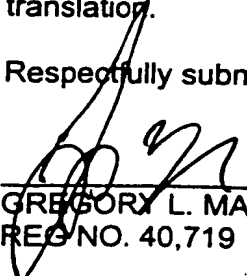
The above-mentioned new patent application was filed on August 21, 2000 without a signed oath or declaration, under the provision of 37 C.F.R. 1.53(f) and without a certified English translation.

In accordance with the above-mentioned rule, enclosed herewith is the original signed declaration as required by the Notification Of Missing Requirements Under U.S.C. 371 dated October 25, 2000 and English translation according to a Notification Of A Defective Oath Or Declaration dated October 25, 2000.

The undersigned hereby states that the application filed in the Patent and Trademark Office is the application which the inventor(s) executed by signing the declaration. MPEP 601.01(a)(6)

The fee required for the late filing of an oath or declaration in the amount of \$130.00 is also enclosed along with the fee in the amount of \$130.00 for the late filing of a certified English translation.

Respectfully submitted,

  
\_\_\_\_\_  
GREGORY L. MAYBACK  
REG NO. 40,719

/mjb

Date: November 16, 2000  
Lerner and Greenberg, P.A.  
Post Office Box 2480  
Hollywood, FL 33022-2480  
Tel: (954) 925-1100  
Fax: (954) 925-1101



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Wolfgang Werner  
Appl. No. : 09/623,924  
Filed : September 11, 2000  
Title : Measuring Device with a Microsensor and Method for its  
Production  
Art Unit :

ASSOCIATE POWER OF ATTORNEY

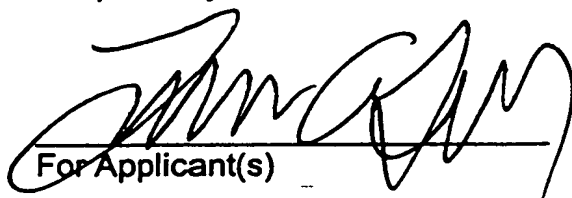
Hon. Commissioner of Patents and Trademarks,  
Washington, D.C. 20231

Sir:

Please recognize GREGORY L. MAYBACK (Reg. No. 40,719) as my associate in the matter in the above-identified application, with full powers. Please continue addressing all communications to the following address:

Lerner and Greenberg, P.A.  
P.O. Box 2480  
Hollywood, Florida 33022-2480

Respectfully submitted,

  
For Applicant(s)

LAURENCE A. GREENBERG  
REG. NO. 29,308

Date: November 16, 2000

Lerner and Greenberg, P.A.  
Post Office Box 2480  
Hollywood, FL 33022-2480  
Tel: (954) 925-1100  
Fax: (954) 925-1101

/mjb

CERTIFICATION

I, the below named translator, hereby declare that: my name and post office address are as stated below; that I am knowledgeable in the English and German languages, and that I believe that the attached text is a true and complete translation of the German language text of Application No. 09/623,924, filed September 11, 2000, including the amended sheets.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Hollywood, Florida

  
Karin Champlin

November 16, 2000

Lerner & Greenberg, P.A.  
P.O. 2480  
Hollywood, FL 33022-2480  
Tel.: (954) 925-1100  
Fax.: (954) 925-1101

---

**COMBINED DECLARATION AND POWER OF ATTORNEY**

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)

---

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is for a national stage of PCT application.

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

MEASURING DEVICE WITH A MICROSENSOR AND METHOD FOR ITS PRODUCTION

**SPECIFICATION IDENTIFICATION**

The specification is attached hereto.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56.

**PRIORITY CLAIM (35 U.S.C. § 119(a)-(d))**

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's

certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Such applications have been filed as follows.

**PRIOR PCT APPLICATION(S) FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION  
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)**

INDICATE IF PCT	APPLICATION NUMBER	DATE OF FILING DAY, MONTH, YEAR	PRIORITY CLAIMED UNDER 35 USC 119.
	198 10 286.0	10/03/1998	yes
PCT	PCT/DE99/00286	01/02/1999	yes

**POWER OF ATTORNEY**

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Herbert L. Lerner  
Laurence A. Greenberg  
Werner H. Sterner  
Ralph E. Locher

Registration Number 20435  
Registration Number 29308  
Registration Number 34,956  
Registration Number 41,947

**SEND CORRESPONDENCE TO**

Lerner and Greenberg, P.A.  
P.O. Box 2480  
Hollywood, FL 33020-480  
Tel.: (954) 925-1100  
Fax: (954) 925-1101

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

Wolfgang Werner

Inventor's signature

*Wolfgang Werner*

Date

25.9.2000

Country of Citizenship Germany

Residence München, Germany

Post Office Address Säbenerstrasse 256,  
D-81545 Erlangen  
Germany



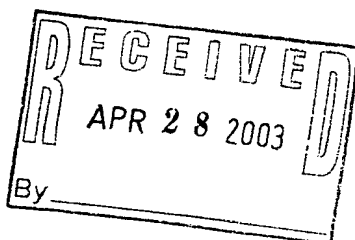
UNITED STATES  
PATENT AND  
TRADEMARK OFFICE



Commissioner for Patents  
Washington, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/623,924	07/02/2001	2856	1352	GR 98 P 1307		37	2

Lerner & Greenberg  
PO Box 2480  
Hollywood, FL 33020-2480



CONFIRMATION NO. 1970

**FILING RECEIPT**



\*0C000000009895980\*

Date Mailed: 04/25/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Wolfgang Werner, Munchen, GERMANY;

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/DE99/00268 02/01/1999

**Foreign Applications**

GERMANY 198 10 286.0 03/10/1998

If Required, Foreign Filing License Granted: 03/19/2002

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

**Title**

Measuring device with a microsensor and method for producing the same

**Preliminary Class**

073

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

"Express Mail" mailing label number EL608558247US  
Date of Deposit September 11, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

  
MICHAEL BURNS

**TRANSMITTAL LETTER  
TO THE UNITED STATES ELECTED OFFICE (EO/US)  
(ENTRY INTO U.S. NATIONAL PHASE UNDER CHAPTER II)**

INTERNATIONAL APPLICATION NO. PCT/DE99/00268	INTERNATIONAL FILING DATE 1 February 1999	PRIORITY DATE 10 March 1998
---	--	--------------------------------

TITLE OF INVENTION  
MEASURING DEVICE WITH A MICROSENSOR AND METHOD FOR ITS PRODUCTION

APPLICANT  
WERNER, Wolfgang

**Box PCT  
Assistant Commissioner for Patents  
Washington D.C. 20231  
ATTENTION: EO/US**

1. Applicant herewith submits to the United States Elected Office (EO/US) the following items under 35 U.S.C. 371:
  - a. ☒ This express request to immediately begin national examination procedures (35 U.S.C. 371(f)).
  - b. ☒ The U.S. National Fee (35 U.S.C. 371(c)(1)) and other fees (37 C.F.R. § 1.492) as indicated below:



DOCKET NO. GR 98 P 1307 Mailed September 11, 2000

APPLIC. NO. Express Mail EL608558247US

The stamp of the Patent Office hereon may be considered the date on which papers indicated below were received.

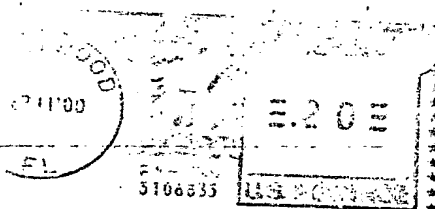
☒ PCT ☒ 2 dwgs. ☒ Mail. Cert.  
☒ Cover Sheet WO 99/46605 ☒ Search Report  
☒ Prel. Int. Exam. Report ☐ Fee Calc. Sheet  
☒ Orig. PCT Application 21 pgs. ☐ PCT Transmittal Letter  
☐ Transl. . . . pgs. ☒ Declaration signed/unsigned  
☐ Prel. Amendment ☒ Check \$ 876.00

525 Rec'd PCT/PTO 11 SEP 2000

(Patent Office. Please stamp and return to addressee on reverse side.)



09/623924



LERNER AND GREENBERG, P.A.  
P.O. Box 2480  
Hollywood, FL 33022-2480

